

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CONTEMPT CASE No.1827 of 2022

O R D E R:

The Contempt Case is filed seeking the following relief:

"... to punish the respondents under Sections 10 to 12 of the Contempt of Courts Act, 1971 for their willful, deliberate and intentional violation of the orders of this Hon'ble Court dated 24-08-2022 made in Writ Petition No.33379 of 2022 and".

2. Mr. Sanjeev Gillella, learned counsel for the petitioners submits that this court by order dated 24.08.2022 has disposed of the writ petition i.e.W.P.No.33379 of 2022 directing the respondents to consider the representation of the petitioner dated 10.08.2022 and to pass appropriate orders in accordance with law within a period of three weeks from the date of receipt of copy of the order. He submits that as the said orders are not complied, the petitioners have come up with the present contempt petition.

3. When the matter came up on 29.12.2022, this court has observed that though the notice is served on 25.11.2022, no vakalath is filed on behalf of contemnor and there is no representation on their behalf. Then, this court has admitted the contempt.

4. Today, the Municipal Commissioner is present before the court and submits that they have complied with the order of this court on 10.12.2022.

5. When a notice was received by the respondent Commissioner on 25.11.2022, there is no explanation from him as to why he did not choose to engage an advocate and represent before this court. Further, it is stated that the concerned officer is not aware of the procedure to be followed.

However, there is no explanation forthcoming why the order of this court was not complied with by them within the timeframe when the order copy was received on 08.09.2022 and why they have waited till 10.12.2022.

6. Mr. Ch. Jagannatha Rao, learned standing counsel for the respondent municipal corporation submits that there is no intention on behalf of the respondents to violate the orders of the court and requested to give them an opportunity. He further submits that the respondents will not repeat these kind of acts in future.

7. Though this court initially wanted to impose costs for the delay in implementing the orders of the court, giving an opportunity to the contemnor and cautioning him not to repeat these kind of things and also as the orders have been complied by issuing proceedings dated 10.12.2022, the contempt case is closed. There shall be no order as to costs.

8. The miscellaneous applications, if any shall stand automatically closed.

LALITHA KANNEGANTI, J

30th January, 2023
gvl